

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

|                                  |                               |   |                              |
|----------------------------------|-------------------------------|---|------------------------------|
| <b>In re:</b>                    | <b>James H Call</b>           | ) |                              |
|                                  | <b>Terrie M. Call</b>         | ) | <b>Case No. 13-30686-KRH</b> |
|                                  | <b>Debtors.</b>               | ) | <b>Chapter 13</b>            |
|                                  |                               | ) |                              |
| <b>Address</b>                   | <b>10803 Timber Run Rd.</b>   | ) |                              |
|                                  | <b>Chesterfield, VA 23832</b> | ) |                              |
|                                  |                               | ) |                              |
| Last four digits of SSN or ITIN: | <b>4205</b>                   | ) |                              |
|                                  | <b>0745</b>                   | ) |                              |
|                                  |                               | ) |                              |

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**NOTICE OF MOTION TO RECONSIDER ORDER GRANTING RELIEF**

**Jason M. Krumbein, Esq.** has filed papers with this court seeking reconsideration of the Order Granting Relief (docket #85).

**Your rights may be affected. You should read these papers carefully, and discuss them with your attorney in this Bankruptcy Case, if you have one. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before **21 DAYS FROM TODAY**, you or your attorney must:

File with the court and mail a copy to the Debtors' counsel, at the addresses shown below, a written request for a hearing. If you mail your request for hearing to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of the Court  
U.S. Bankruptcy Court  
701 E. Broad St., Suite 4000  
Richmond, VA 23219

Richard J. Oulton, Esq.  
America Law Group  
8501 Mayland Dr. Ste 106  
Henrico VA 23294

You must also attend a hearing to be scheduled March 9, 2016 at 11:00 am, before Judge Huennnekens, 701 E. Broad St. Rm 5000, Richmond, VA 23219.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion, and may enter an order granting that relief.

Date: February 3, 2016

/s/ Richard J. Oulton Esq.  
8501 Mayland Dr. Suite 106  
Henrico, VA 23294  
VSBN 29640  
Counsel for Debtor in Bankruptcy

CERTIFICATE OF SERVICE

See certification in Application Attached hereto

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|                                  | <b>0745</b>                   | ) |                              |
|                                  |                               | ) |                              |

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**MOTION TO RECONSIDER ORDER ON MOTION FOR RELIEF**

**COMES NOW**, Richard J. Oulton., counsel for Debtor(s), and pursuant to FRBP 9024 and FCRP 60 (b) and says as follows:

- 1) This motion is filed pursuant to Fed.R.Bankr.Proc.9024, and Fed.R.Civ.Proc. 60(b).

**JURISDICTION, VENUE, CORE PROCEEDING**

- 2) This court has jurisdiction pursuant to 28 USC 1441.
- 3) This is the proper venue pursuant 28 USC 1391.
- 4) This is a core proceeding pursuant to 28 USC 157.

**PARTIES**

- 5) The movants are the Debtors in the above identified case, as defined by the Bankruptcy Code.
- 6) Respondents are creditors as defined by the Bankruptcy code.

**FACTS**

- 7) Movants filed a Voluntary Petition for Relief in this court on 2/11/2013.
- 8) Movants Chapter 13 plan is active and in good standing.

- 9) CitiFinancial filed a motion for relief on 5.1.2015.
- 10) The motion for relief was resolved by consent order on 8/17/2015, which called for standard terms, including a Notice of Default and a related Certification of said default that the Notice of Default had not been cured or objected to.
- 11) Respondent filed a Notice of Default on 12/2/2015.
- 12) Movant cured the default by payment on 12/16/2015., and sent a copy of the money order for payment by e-mail.
- 13) Respondent filed a certification on 1/19/2016 that the default had not been cured. This was a false representation.
- 14) Subsequently, the court entered an order granting relief from the stay on 1/27/2016.
- 15) Movant has made all of the payments required under the order as of the date of this motion.

**RELIEF REQUESTED**

Movants request that the court grant the motion to reconsider the order granting relief for the reasons stated above.

/s/ Richard J. Oulton, Esq.  
Richard J Oulton, Esq. VSB29640  
Counsel for the Debtor(s) in Bankruptcy  
America Law Group  
8501 Mayland Dr. Suite 106  
Henrico, VA 23832  
Tel: 804.308.0051 Fax: 804.308.0053  
2debtlawgroup@gmail.com

**CERTIFICATE OF SERVICE**

I certify that I have this February 3, 2016, transmitted a true copy of the foregoing application electronically through the court's CM/ECF system to the Chapter 13 Trustee and US

Trustee, and counsel for CitiFinanial and by regular mail to the to the Debtor and all creditors listed on the attached Service List.

NO OTHER CREDITORS AFFECTED

/s/ Richard J Oulton, Esq.  
Counsel for the Debtor(s) in Bankruptcy



4605 Commerce Rd  
Richmond VA 23234  
1.800.796.2328 www.callfcu.org

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68-8213  
2510

238587

DATE

12/16/2015

AMOUNT

\$\*\*\*\*\*6,801.90

PAY SIX THOUSAND EIGHT HUNDRED ONE AND 90/100 DOLLARS-----

TO THE ORDER OF CITIFINANCIAL SERVICING LLC  
RE: JAMES H CALL

Memo

*Rose B. Ball*

AUTHORIZED SIGNATURE



⑈ 238587 ⑈

TELLER CHECK WRITER

Mbr Number: \*\*\*08 Teller: 25 BR: 000 Date: 12/16/15  
Mbr Name: JAMES H CALL Txn: 878 Time: 11:11:37 CAN: 646  
Pay to: CITIFINANCIAL SERVICING LLC  
Check Number: 238587

Checks Disbursed: \$6,801.90

| Transactions Posted          | Account | Txn Amount  | Ending Balance |
|------------------------------|---------|-------------|----------------|
| =====                        | =====   | =====       | =====          |
| FROM ACCT TYPE - MULT CHECKS |         | \$6,801.90- |                |

ASK ME HOW CFCU CAN SAVE YOU MONEY !